

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GISELLE HARRISON,

Plaintiff,

- against -

STATE UNIVERSITY OF NEW YORK DOWNSTATE
MEDICAL CENTER and ANTHONY PARKER,

Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**
16-CV-1101 (RRM) (CLP)

Plaintiff Giselle Harrison brought this action against her employer, State University of New York Downstate Medical Center (“SUNY”), and her supervisor, Anthony Parker, alleging workplace discrimination on the basis of sex and disability and alleging retaliation after she lodged complaints. (Compl. (Doc. No. 1).) Harrison initially brought causes of action under federal, state, and local statutes, but subsequently withdrew several claims by an amendment to her complaint and a subsequent letter. (Am. Compl. (Doc. No. 19); 8/22/2016 Letter (Doc. No. 23).) Defendants moved to dismiss Harrison’s remaining claims, and this Court granted that motion, save for Harrison’s claims of retaliation and improper medical inquiries against SUNY under the Rehabilitation Act of 1973, 29 U.S.C. § 701 *et seq.* (Mot. to Dismiss (Doc. No. 28); Mem. & Order (Doc. No. 35).)

Harrison now seeks leave to amend her complaint a second time (Mot. to Amend Compl. (Doc. No. 42); Proposed Second Am. Compl. (Doc. No. 43-8).), and defendants have opposed the amendment. (Opp’n (Doc. No. 45).) The motion was referred to the Honorable Cheryl L. Pollak, who issued a Report and Recommendation (“R&R”) recommending that the Court deny Harrison’s motion in its entirety. Judge Pollak reminded the parties that, pursuant to Federal Rule of Civil Procedure (“Rule”) 72(b), any objections to the R&R must be filed within 14 days.

(R&R at 32.) No party has filed an objection, and the time to do so has expired.

Pursuant to 28 U.S.C. § 636(b) and Rule 72, the Court has reviewed the lengthy, thorough and well-reasoned R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). As such, Harrison's motion for leave to file a Second Amended Complaint is denied in all respects.

This action is committed to Magistrate Judge Pollak for all further pre-trial proceedings.

SO ORDERED.

Dated: Brooklyn, New York
August 24, 2018

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge